

Please type a plus sign (+) inside this box [ + ]

PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

### UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 042390.P4222D3

(maximum 12 characters)

First Named Inventor Robert S. Chau, et al.

Title: Device Structure and Method for Reducing Silicide Encroachment

Express Mail Label No. EL 370 832 573 US

10/010525  
12/07/01

ADDRESS TO: **Box Patent Application**  
**US Patent & Trademark Office**  
**P. O. Box 2327**  
**Arlington, VA 22202**

### APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1.  X  **Fee Transmittal Form (e.g., PTO/SB/17)**  
(Submit an original, and a duplicate for fee processing)
2.   **Applicant Claims Small Entity Status. (37 CFR 1.27)**
3.  X  **Specification (Total Pages  27 )**  
(preferred arrangement set forth below)
  - Descriptive Title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference sequence listing, a table,  
or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4.  X  **Drawings(s) (35 USC 113) (Total Sheets  12 )**
5.  X  **Oath or Declaration (Total Pages  6 )**
  - a.   Newly Executed (Original or Copy)
  - b.  X  Copy from a Prior Application (37 CFR 1.63(d))  
(for Continuation/Divisional with Box 18 completed)
    - i.   **DELETIONS OF INVENTOR(S)** Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
  - c.   Unsigned.
6.   **Application Data Sheet. (37 CFR 1.76)**
7.   **CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)**
8.   **Nucleotide and/or Amino Acid Sequence Submission**  
(if applicable, all necessary)
  - a.   Computer Readable Form (CRF)
  - b.   Specification Sequence Listing on:
    - i.   CD-ROM or CD-R (2 copies); or
    - ii.   paper
  - c.   Statement verifying identity of above copies

# **ACCOMPANYING APPLICATION PARTS**

9. ☐ **Assignment Papers (cover sheet & documents(s))**
10. ☐ a. Separate 37 CFR 3.73(b) Statement (where there is an assignee)
- ☐ b. Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☒ a. Information Disclosure Statement (IDS)/PTO-1449
- ☐ b. Copies of IDS Citations
13. ☒ **Preliminary Amendment**
14. ☒ **Return Receipt Postcard (MPEP 503) (Should be specifically itemized)**
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ **Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.**
17. ☒ Other: Express Mail Certificate of Mailing

**18A. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:**

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP)  
 Of Prior Application No.: 09/654,315 Examiner Thien Tran Group Art Unit 2811  
 (which is a ☐ continuation/ ☒ divisional/ ☐ CIP of prior application no. 09/115,405,  
 which is a ☐ continuation/ ☒ divisional/ ☐ CIP of prior application no. 08/884,912) (List entire chain of priority)

**Applicant(s):** Also include a Preliminary Amendment to amend the specification to claim priority.  
**For CONTINUATION AND DIVISIONAL APPS only:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**18B. Statement under 37 CFR 3.73(b) for continuing application:**

The undersigned states that \_\_\_\_\_ (name of assignee) is the assignee of the entire right, title, and interest in the accompanying patent application by virtue of an assignment recorded in the Patent and Trademark Office at Reel No. \_\_\_\_\_ Frame No. \_\_\_\_\_ (or a copy of which is attached).

## **19. Correspondence Address**

☐ Customer Number or Bar Code Label \_\_\_\_\_  
 or \_\_\_\_\_ (Insert Customer No. or Attach Bar Code Label here)

☒ Correspondence Address Below

NAME Michael A. Bernadicou

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP


ADDRESS 12400 Wilshire Boulevard

Seventh Floor

CITY Los Angeles STATE California ZIP CODE 90025-1030

Country U.S.A. TELEPHONE (408) 720-8300 FAX (408) 720-8383

Name (PRINT/TYPE): Michael A. Bernadicou Registration No.: 35,934

Signature:  Date: December 6, 2001